

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
2014 JUL -9 P 4:23

RAAJ RAFA-EL

*

Plaintiff

*

v

*

Civil Action No. JKB-14-1286

BARACK OBAMA, et al.,

*

Defendants

*

MEMORANDUM


Plaintiff Raaj Rafa-El has sued President Barack Obama, United States Attorney Eric Holder, Governor Martin O'Malley, Chief Judge Martin P. Welch, Clerk of Court Frank Conaway, Chief Judge Deborah K. Chasanow, and Court Clerk Felicia Cannon. ECF No. 1. His complaint, touching in part on the same conduct complained of in previous filings submitted by plaintiff, is nearly indecipherable.¹

Plaintiff appears to complain about being evicted from his apartment and a subsequent arrest by Baltimore City Police. He reiterates his claims that he is not a citizen under the 14th Amendment. He takes issue with the Baltimore Police Department for the actions of department members who, plaintiff alleges, kidnapped him and "brutalized" him. He also maintains that the District and Circuit Courts of Baltimore City have acted improperly in taking action against him in absence of jurisdiction. He seek an order directing defendants to investigate the matter and ensure his immediate release.

¹Plaintiff has filed numerous cases which have been construed as civil rights complaints and petitions for writ of habeas corpus. All of the cases arise out of the same set of facts. Each case asserts plaintiff's claim that he is not a citizen under the 14th Amendment and therefore the state courts are without jurisdiction to take any action against him. The cases have all been dismissed without requiring service of process. See *Rafa-El v. State*, Civil Action No. JKB-11-2611, *Rafa-El v. State*, Civil Action No. JKB 11-3545, *Rafa-El v. State*, Civil Action No. JKB-12-2812, *Rafa-El v. Warden*, Civil Action No. JKB-13-3270, *Rafa-El v. Circuit Court*, Civil Action No. CCB-13-2857, *Rafa-El v. Jackson*, Civil Action No. JKB-14-24, *Rafa-El v. Mayor Martin O'Malley*, Civil Action No. JKB-14-461, *Rafa-El v. Foxwell*, Civil Action No. JKB-14-1446.

Plaintiff has not paid a filing fee. Notwithstanding the fact that the plaintiff has failed to request leave to proceed in forma pauperis, he shall provisionally be granted leave to do so. The complaint has been reviewed and shall be summarily dismissed.

This court may preliminarily review the claims in a plaintiff's complaint and dismiss the complaint pursuant to 28 U.S.C. § 1915(e) prior to service if it is satisfied that it has no factual or legal basis and it is frivolous on its face. *See Neitzke v. Williams*, 490 U.S. 319, 328 (1989); *see also Denton v. Hernandez*, 504 U.S. 25, 33 (1992); *Cochran v. Morris*, 73 F.3d 1310, 1314 (4th Cir. 1996). As explained by the Supreme Court in *Neitzke*: "Examples of [factually baseless lawsuits] are claims describing fanciful or delusional scenarios, with which federal district judges are all too familiar." *Neitzke v. Williams*, 490 U.S. at 328. Under these standards, the court concludes plaintiff's complaint is frivolous. Accordingly, the complaint will be dismissed by separate order.

 7/9/14
James K. Bredar
United States District Judge